

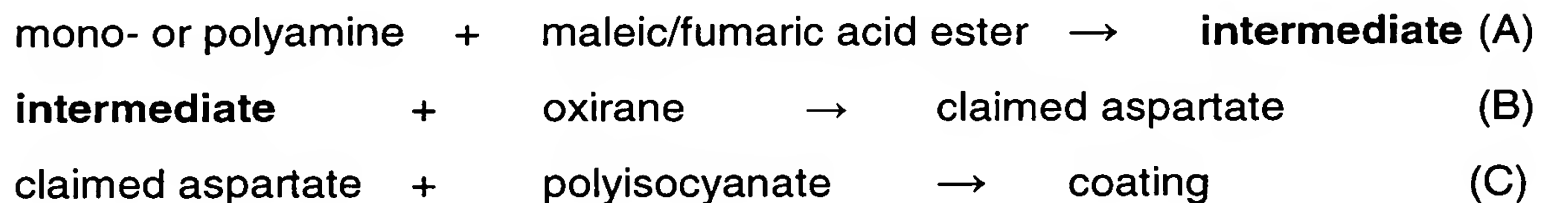
REMARKS

Claims 1-4 are pending in the application.

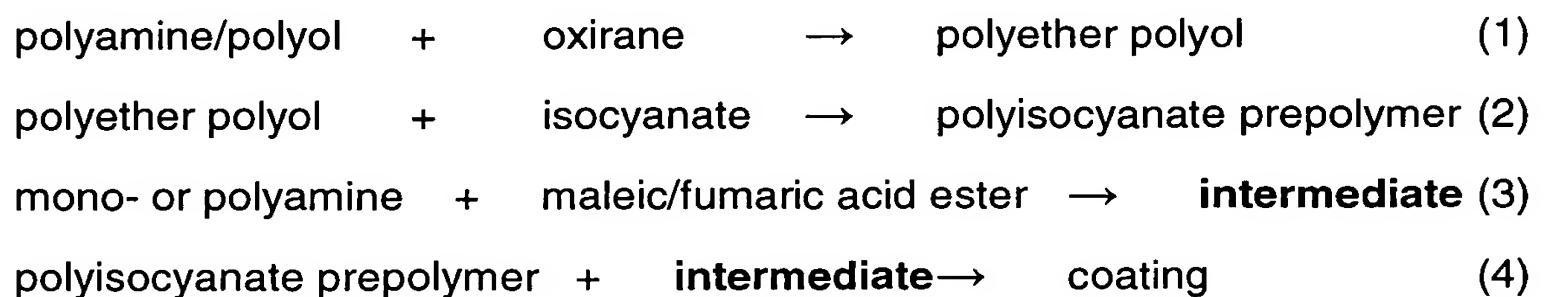
Rejections under 35 U.S.C. § 103(a)

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. 5,243,012 to Wicks et al., U.S. 5,236,741 to Zwiener et al. or U.S. 5,126,170 to Zwiener et al. Applicants respectfully traverse this rejection.

In the present invention, the process of making the claimed aspartates (and coatings based on the aspartates) is exemplified as follows:



In both the Wicks and Zwiener references, the following processes are disclosed:



In both the present invention and the cited references, the **intermediate** is the same. As can be seen in the above comparison, the preparation of polyether polyols is neither described nor claimed in the present invention, and the addition of an oxirane compound to the intermediate is not shown in the references.

Both Wicks and Zwiener state (for example in Zwiener '741, at column 3, line 60 to column 4, line 4) that polyether polyols can be prepared by alkoxylation of suitable starting materials (as shown above in (1)), and that alkylene oxides may be introduced into the alkoxylation reaction in any sequence or as a mixture. The alkoxylation reaction referred to is the alkoxylation of the starting materials to

produce the polyether polyols. There is no other alkoxylation occurring, nor any language suggesting that it is occurring anywhere else in the reference, and therefore no other interpretation of this language is reasonable. Neither Wicks nor Zwiener teach or even remotely suggest that an oxirane is reacted with the **intermediate**, as in the present invention, to produce the novel compounds now claimed. Thus, the language "in any sequence" is taken completely out of context to assert that these references render obvious the claimed compounds and process.

As explained in the previous response, polyether polyols do not have any residual alkylene oxide, and thus no reaction of an alkylene oxide with the intermediate is inherently occurring in the process described in the references. It is now asserted that this argument is "not commensurate in scope" with the claims, because the claimed process does not disclose reactants or molar ratios to form the polyether polyols. This is a correct statement, but illogical, because polyether polyols are not used in the claimed process, nor are they anywhere made or used in the present invention! Applicants would like to know how they can include molar ratios and amounts of reactants that are not even used or claimed, and would welcome a telephone call from the Examiner to explain how this can be accomplished. This assertion, much like previous assertions, makes no sense at all, and makes it abundantly clear that the Examiner does not interpret the cited references from the point of view of a skilled artisan.

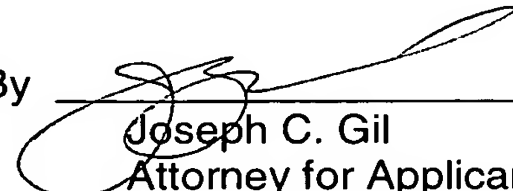
Applicants respectfully submit Wicks, Zwiener '741 and Zwiener '170 simply do not teach or remotely suggest the reaction of an oxirane with an aspartate intermediate, as in the present invention, to arrive at the claimed compounds. Applicants respectfully submit that Claims 1-4 are not obvious in view of any of the references cited and request withdrawal of the §103 rejection and allowance of all pending claims.

CONCLUSION

Applicants respectfully submit that all pending claims, Claims 1- 4, are patentable and that the present application is in condition for allowance; such action is respectfully requested at an early date.

Respectfully submitted,

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